

COMES NOW Tim Desrochers, through his counsel, Patrick Murphy and Scott Murray of WILLIAMS, PORTER, DAY & NEVILLE, P.C., and hereby provides the Court and all Parties with Notice of Mr. Desrochers' Compliance with the records subpoena that was personally served on Mr. Desrochers on January 15, 2024. Mr. Desrochers shows the Court as follows:

1. At the informal telephonic discovery conference with the Honorable Kelly Rankin on January 10, 2024, the Court ordered that Mr. Desrochers respond to the records subpoena that would later be served on Mr. Desrochers (CM/ECF Doc. 104).

2. There are seven (7) requests in the Subpoena served on Tim Desrochers. These seven requests are stated, verbatim, below:

Exhibit A to Subpoena Issued to Tim Desrochers

Request No. 1

Produce a copy of any current driver's license(s) you hold, as well as any driver's license you have held from any state during the years 2021, 2022, and 2023.

Request No. 2

Produce a copy of your filed federal tax returns for the years 2021, 2022, and 2023. The term "you" includes any entity of which you are an owner.

Request No. 3

Produce a copy of any state or other local tax return(s) you filed in 2021, 2022, and 2023. The term "you" includes any entity of which you are an owner.

Request No. 4

Produce a copy of any deed(s) for any real estate you own in any state. The term "you" includes any entity of which you are an owner.

Request No. 5

Produce a copy of any lease for any residential or commercial real estate you currently lease or have leased for any period during 2021, 2022, and 2023. The term "you" includes any entity of which you are an owner.

Request No. 6

Produce documents which demonstrate where you have registered to vote and/or have voted in 2021, 2022, and 2023.

Request No. 7

Produce all vehicle titles for which you are a registered owner from any state for the years 2021, 2022, and 2023. The term “you” includes any entity of which you are an owner.

3. Mr. Desrochers was personally served with this subpoena at his home in Fort Collins, Colorado on Monday, January 15, 2023.

4. Mr. Desrochers then performed a diligent search for any documents responsive to Request Nos. 1-7 above.

5. Answering Request No. 1, attached please find Tim Desrochers’ 2023 Colorado driver’s license (“**Exhibit 1**”). Tim Desrochers no longer has his 2021 and 2022 driver’s license.

6. Answering Request No. 2, attached please find redacted copies of Tim Desrochers’ federal tax returns for the years 2021 and 2022, both of which show a PostNet “Virtual Mail” address (1401 Lavaca St. #242, Austin, TX, 78701) (“**Exhibit 2**” and “**Exhibit 3**”). Tim Desrochers does not, and has not, ever lived at this PostNet address, nor could he. Tim Desrochers has not yet filed a 2023 federal tax return. Tim Desrochers is planning to file his 2023 federal tax return with his Colorado address (7426 Matheson Dr., Fort Collins, CO, 80525).

7. Answering Request No. 3, Tim Desrochers does not have any state or other local tax return(s) for 2021 and 2022. Tim Desrochers is planning to file a 2023 Colorado state income tax return with his Colorado address (7426 Matheson Dr., Fort Collins, CO, 80525).

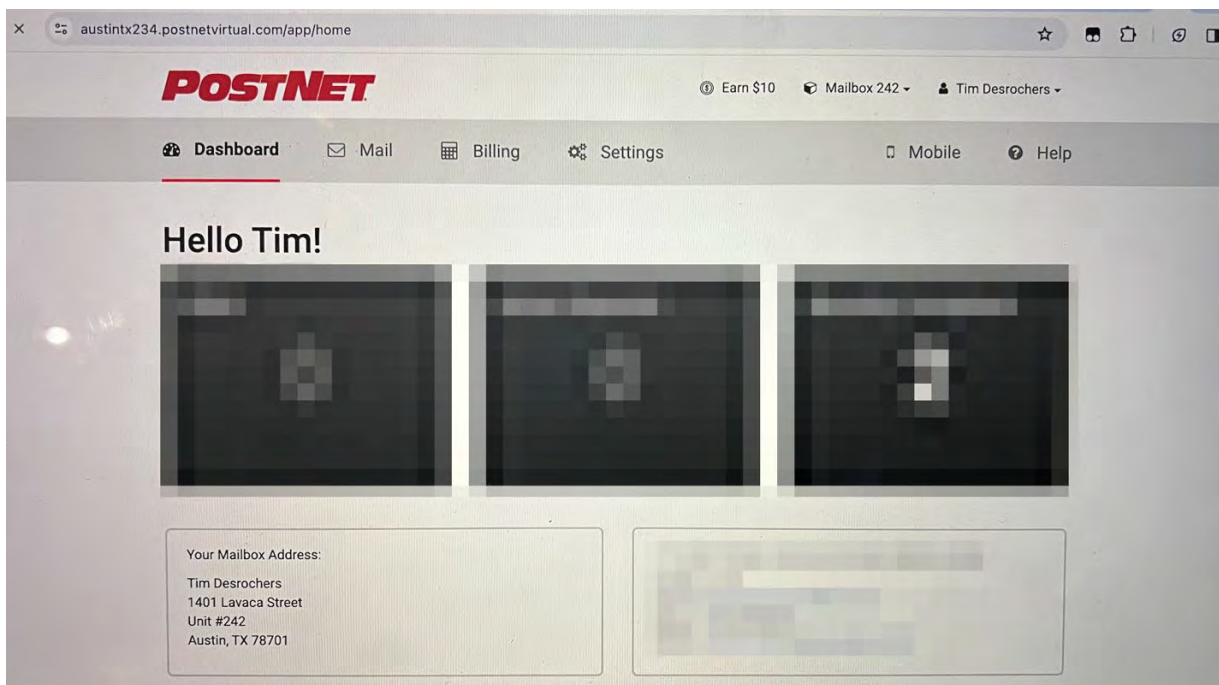
8. Answering Request No. 4, Tim Desrochers does not have any documents responsive to this request. Tim Desrochers does not own, and did not own, any real estate.

9. Answering Request No. 5, Tim Desrochers does not have any lease(s) for any residential or commercial real estate during 2021, 2022, and 2023. Tim Desrochers has not had a lease since moving to his sister's home in Fort Collins, Colorado. Tim Desrochers and his sister, Caroline Free, have never had any written lease agreement since Tim Desrochers moved to Fort Collins, Colorado (7426 Matheson Dr., Fort Collins, CO, 80525) in 2020.

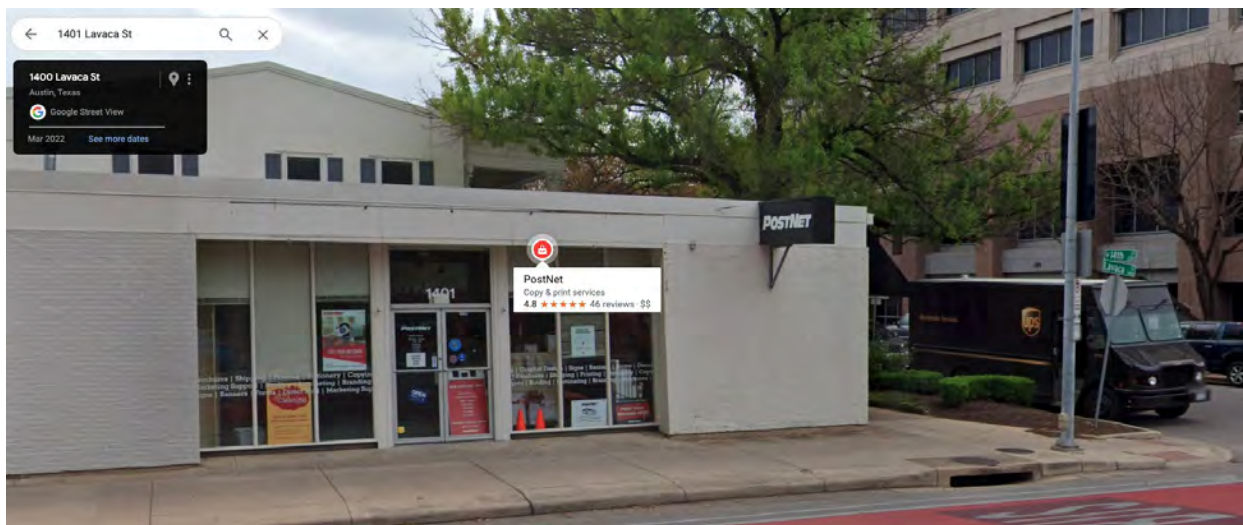
10. Answering Request No. 6, there are no documents responsive to this request. Tim Desrochers is not, and has not been, registered to vote and/or voted in any state in 2021, 2022, and 2023.

11. Answering Request No. 7, Tim Desrochers produces a copy of the certificate of title of the vehicle for which he is the registered owner from the years 2021, 2022, and 2023 (“**Exhibit 4**”). Tim Desrochers’ vehicle, a 2017 Ford T-150 Transit Cargo Van, is registered to a PostNet “Virtual Mail” address (1401 Lavaca St. #242, Austin, TX, 78701). Tim Desrochers does not, and has not, ever lived at this PostNet address, nor could he.

12. Tim Desrochers utilizes the PostNet “Virtual Mail” service at the PostNet building located at 1401 Lavaca St., Austin, TX, 78701. The PostNet “Virtual Mail” service “...allows you to view and manage your mail digitally from wherever you are. With a virtual mailbox rental, you will get a physical street address where you can receive mail and packages. That mail will be scanned for you to view on your phone or computer, where you then decide to forward, recycle, shred, or pick it up from your local PostNet center.” (<https://www.postnet.com/virtual-mail/>). The PostNet “Virtual Mail” service assigned Tim Desrochers “Mailbox 242” as indicated below.

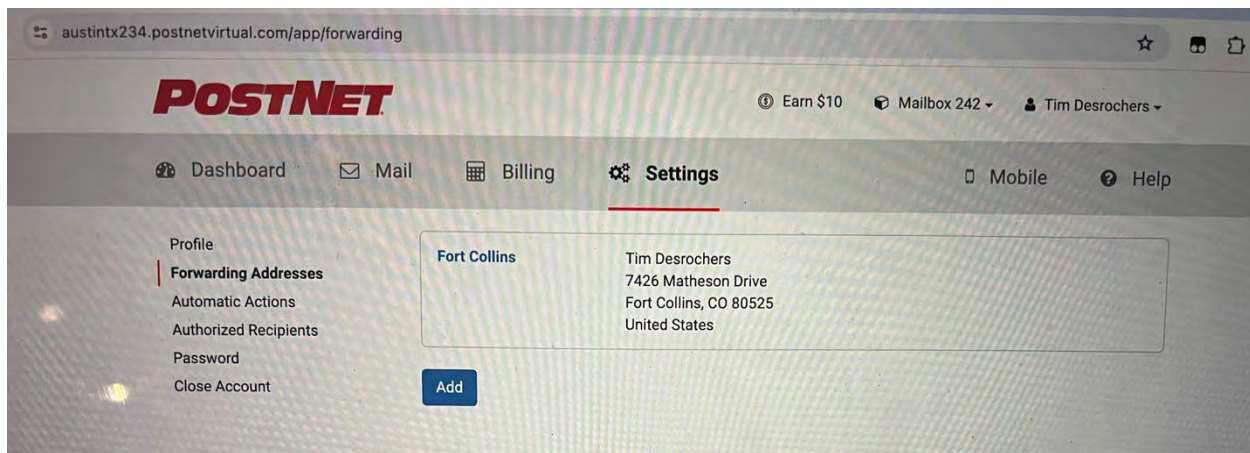


13. It is not possible for anyone, including Tim Desrochers, to actually live, reside, and/or have any of his material possessions, at a PostNet office building, such as the PostNet office building at 1401 Lavaca St., Austin, TX, 78701. See the Google Street View photograph of this PostNet office building below.



14. The PostNet “Virtual Mail” service allows Tim Desrochers to view digital scans (on his computer and/or phone) of the physical mail sent to his assigned PostNet “Virtual Mail”

address, and then “forward, recycle, shred, or pick up” the physical mail. In order to forward physical mail, the PostNet “Virtual Mail” service requires that Tim Desrochers provide an address where he would like to receive the physical mail. As shown in the screenshot below, Tim Desrochers' forwarding address is his home in Fort Collins, Colorado (7426 Matheson Dr., Fort Collins, CO, 80525). This means that when Tim Desrochers wants physical copies of mail (such as mail from the IRS regarding his 2021 and 2022 tax returns referenced above in Paragraph 6 and/or mail regarding the certificate of title for his 2017 Ford T-150 Transit Cargo Van referenced above in Paragraph 11), it is ultimately sent to his home in Fort Collins, Colorado.



15. Tim Desrochers has never visited in person or physically “picked up” mail from the PostNet building at 1401 Lavaca St., Austin, TX, 78701.

RESPECTFULLY SUBMITTED this 29th day of January 2024.

TIM DESROCHERS,

Respondent

By: /s/ Patrick J. Murphy
 Patrick J. Murphy (WSB No. 5-1779)
 Scott C. Murray (WSB No. 7-4896)
 WILLIAMS, PORTER, DAY & NEVILLE, PC
 159 N Wolcott St., Suite 400
 Casper, WY 82601
pmurphy@wpdn.net
smurray@wpdn.net

Attorneys for Respondent Tim Desrochers

CERTIFICATE OF SERVICE

The undersigned does hereby certify that a true and correct copy of the foregoing document was delivered to the Court via the CM/ECF System and served upon counsel via CM/ECF electronic transmission this 29th day of January 2024.

Sean M. Larson, WSB No. 7-5112 Kari Hartman, WSB No. 8-6507 HATHAWAY & KUNZ, LLP P.O. Box 1208 Cheyenne, WY 82001 slarson@hkwyolaw.com khartman@hkwyolaw.com	<input type="checkbox"/> U. S. Mail (prepaid) <input checked="" type="checkbox"/> CM/ECF Electronic Transmission <input type="checkbox"/> Overnight Delivery <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Electronic Mail
Paula Colbath, <i>Pro Hac Vice</i> Sarah Levitan Perry, <i>Pro Hac Vice</i> Alex Inman, <i>Pro Hac Vice</i> LOEB & LOEB LLP 345 Park Avenue New York, NY 10154 pcolbath@loeb.com sperry@loeb.com ainman@loeb.com	<input type="checkbox"/> U. S. Mail (prepaid) <input checked="" type="checkbox"/> CM/ECF Electronic Transmission <input type="checkbox"/> Overnight Delivery <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Electronic Mail
Marc Feinstein, <i>Pro Hac Vice</i> William Pao, <i>Pro Hac Vice</i> O'MELVENY & MYERS 400 South Hope Street Los Angeles, CA 90071-2899 mfeinstein@omm.com wpao@omm.com	<input type="checkbox"/> U. S. Mail (prepaid) <input checked="" type="checkbox"/> CM/ECF Electronic Transmission <input type="checkbox"/> Overnight Delivery <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Electronic Mail
Khale J. Lenhart, WSB No. 7-4581 Tyson R. Woodford, WSB No. 8-6650 HIRST APPLGATE LLP 1720 Carey Ave. Room 400 P.O. BOX 1083 Cheyenne, WY 82003 klenhart@hirstapplegate.com twoodford@hirstapplegate.com	<input type="checkbox"/> U. S. Mail (prepaid) <input checked="" type="checkbox"/> CM/ECF Electronic Transmission <input type="checkbox"/> Overnight Delivery <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Electronic Mail

/s/Patrick J. Murphy
Patrick J. Murphy